IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 5860 OF 2007.
IN
FIRST APPEAL NO.996 OF 2007.

Smt.Vidyavati Jagdish Gaud & anr. ... Applicants.
Versus.
Nusli N.Wadia & others. ... Respondents.

Shri Anil Singh i/by Shri D.R.Shah for the Applicants.

Shri P.N.Modi i/by Shri K.D.Abichand for the Respondents.

CORAM : ABHAY S.OKA, J.

DATED : 19th November, 2007.

P.C.:

1. Not on board. By consent Civil Application is taken on board.

2. Heard the learned Counsel appearing for the parties.

3. The First Appeal challenging the decree for possession has been admitted. Therefore, the decree for possession cannot be executed till the Appeal is disposed of finally.

4. Hence the Application is disposed of by passing the following order:

i) There will be interim relief in terms of prayer clause (a) subject to condition

that the Applicants will not create any third party interests and will not part with possession of the suit property till the final disposal of the Appeal.

ii) Hearing of the Appeal is expedited.

Judge.